

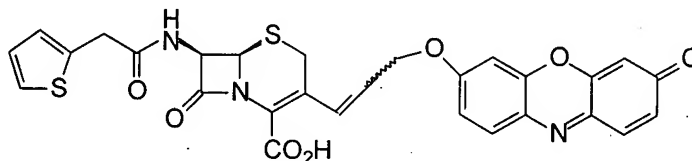
REMARKS

A. Regarding the Amendments

By the present communication, claims 1-3, 5, 11, and 12 have been amended to define Applicants' invention with greater particularity. As amended, the claims are supported by the specification and the original claims and add no new matter. For example, in response to the Examiner's comment regarding the location of variable R_2 in formula (I), it is submitted that R_2 is present in formula (I) as part of the definition of R' , i.e., two selections contemplated for R' are the moieties $CHR_2OCO(CH_2)_nCH_3$ and $CHR_2OCOC(CH_3)_3$. In order to more clearly convey the definition of R_2 with respect to each of these moieties, the clause defining the variable in question has been moved and is now recited immediately following the moieties $CHR_2OCO(CH_2)_nCH_3$ and $CHR_2OCOC(CH_3)_3$. Upon entry of the amendment, claims 1-16 are pending.

B. Regarding the Restriction Requirement

Applicants provisionally elect the Group I claims, i.e., claims 1-4, with traverse. In addition, Applicants elect the following single species for prosecution on the merits:



Referring to general formula (I), this compound represents the species wherein

$R = 2\text{-thienylmethyl}$,

$R' = H$,

$A = S$,

$Z =$ a compound of formula (II), wherein X is H and Y is N , and

$R_3 =$ a direct bond to a heteroatom in the fluorescent moiety.

It is submitted that claims 1-4 read on the elected species. Non-elected claims are retained in this application pending final disposition of the elected claims.

In order to be fully responsive, Applicants have elected the Group I claims. However, it is respectfully submitted that the Group I claims (claims 1-4; drawn to compounds as represented by general formula (I)) could readily be processed together in the same application as the Group II claims (claims 5-13; drawn to methods for detecting β -lactamase activity) and the Group III claims (claims 14-16; drawn to methods for determining whether a compound of formula (I) is a substrate for a β -lactamase enzyme). As acknowledged by the Examiner, the Group I claims are intimately related to the Groups II and III claims as product and process of use, i.e., the Group I claims are drawn to compounds and the Group II and III claims are drawn to methods employing such compounds. Clearly, a search of prior art for the Group II and III claims would necessarily entail a search of prior art for the Group I claims. Thus, no savings of PTO resources will be realized if restriction is maintained as asserted. Accordingly, reconsideration of the requirement for restriction is respectfully requested.

Applicant: Tsien and Rao
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The Examiner is invited to contact Applicants' undersigned representative if there are any questions relating to this application. No fee is due in connection with this Response to Restriction Requirement. If any fee is due in connection with the filing of this Response, the Commissioner is authorized to charge any fee (or credit any overpayment) to Deposit Acct. No. 50-1355.

Respectfully submitted,

Date:

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